

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**PATRICIA LEAR,**  
**Plaintiff**

**v.**

**DERRY TOWNSHIP  
SCHOOL DISTRICT, et al.,**  
**Defendants**

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**No. 1:20-cv-01239**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 14th day of December 2020, upon consideration of Defendant Derry Township School District and Defendant Erick Valentin (collectively “Defendants”)’ motion to dismiss Plaintiff Patricia Lear’s amended complaint (Doc. No. 23), in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendants’ motion to dismiss (Doc. No. 23) is **GRANTED** in part and **DENIED** in part as follows:
  - a. Plaintiff’s claims of disability discrimination, harassment, hostile work environment, and retaliation in violation of the Americans with Disabilities Act (“ADA”), as amended, 42 U.S.C. § 1201, et seq., are **DISMISSED WITH PREJUDICE** as to Defendant Erick Valentin only;<sup>1</sup>
  - b. In all other respects, Defendants’ motion is **DENIED**.
2. Defendants are directed to file an answer to Plaintiff’s amended complaint (Doc. No. 22) within fourteen (14) days of the date of this Order.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania

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<sup>1</sup> Plaintiff’s claim against Defendant Erick Valentin pursuant to the Pennsylvania Human Relations Act (“PHRA”), 43 P.S. §§ 651-953, remains pending.